



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

December 20, 2011

Mr. Augustus Goddard

REDACTED

Warning Letter Re: FPPC No. 10/813

Dear Mr. Goddard:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code Section 81000, et seq. This letter is in response to a non-filer referral from the California Secretary of State. The referral alleged that you violated the Act's lobbying reporting provisions.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to timely file Forms 615 and 625 for the following quarters:

Statement Type	Reporting Period
Form 615	10/1/2008- 12/31/2008
Form 615	7/1/2008-9/30/2008
Form 615	4/1/2008-6/30/2008
Form 615	1/1/2008-3/31/2008
Form 615	10/1/2007-12/31/2007
Form 615	7/1/2007-9/30/2007
Form 625	10/1/2008-12/31/2008
Form 625	7/1/2008-9/30-2008
Form 625	4/1/2008-6/30/2008

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Form 625	1/1/2008-3/31/2008
Form 625	10/1/2007-12/31/2007

Section 86113 and Section 86114 of the Act provide that lobbyists and lobbying firms must file periodic reports. Section 82038.5 of the Act defines a lobbying firm as "any business entity, including an individual contract lobbyist, which "receives or becomes entitled to receive any compensation for reasonable travel expenses, for the purpose of influencing legislative or administrative action on behalf of any other person, and any partner, owner, officer, or employee of the business entity is a lobbyist." Section 82039 defines a lobbyist as "any individual who receives two thousand (\$2,000) or more in economic consideration in a calendar month, other than reimbursement for reasonable travel expenses, or whose principal duties as an employee are, to any elective state official, agency official, or legislative or administrative action." Section 86117(a) provides that these reports "shall be filed during the month following each calendar quarter." The above-mentioned reports are filed by submitting completed Form 615 and Form 625 to the California Secretary of State.

Your actions violated the Act because you failed to file the aforementioned report(s) by the specified deadlines. However, since you do not have a history of violating the Act and because the amount of lobbying activity unreported was relatively minimal, we are closing your case with this warning letter. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

If you have further questions regarding this matter, please contact Bridgette Gallagher at (916) 322-8246.

Sincerely,

REDACTED 

 Gary S. Winuk
Chief, Enforcement Division

cc: Gloria Gilmore
California Secretary of State
Political Reform Division

GSW:bg